# **ELLIS**: LAWHORNE

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May 11, 2005



## **VIA ELECTRONIC MAIL AND HAND-DELIVERY**

The Honorable Charles L.A. Terreni
Executive Director
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Application of Haig Point Utility Company, Inc. for Approval of an Adjustment in Rates and Charges for Water and Sewer Services

Docket No. 2005-34-W/S, ELS File No. 1030-10309

Dear Mr. Terreni:

Enclosed is the original and ten (10) copies of the **Petition to Intervene** for filing on behalf of Haig Point Club and Community Association, Inc. in the above-referenced docket. By copy of this letter, I am serving all parties of record in this proceeding and enclose my certificate of service to that effect.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it via the bearer of these documents.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Yours truly,

John F. Beach

JFB/cr

cc:

Office of Regulatory Staff

all parties of record

**Enclosures** 

### **BEFORE**

# THE PUBLIC SERVICE COMMISSION OF





DOCKET NO. 2005-34-W/S

IN RE:	) )
Application of Haig Point Utility Company, Inc. for Approval of an Adjustment in Rates and Charges for Water and Sewer Services	) CERTIFICATE OF SERVICE )

This is to certify that I have caused to be served this day, one (1) copy of the **Petition to Intervene** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

G. Trenholm Walker, Esquire Pratt-Thomas, Epting & Walker, P.A. PO Drawer 22247 Charleston SC 29413

Office of Regulatory Staff
Legal Department
PO Box 11263
Columbia SC 29211

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May 11, 2005 Columbia, South Carolina #2 1/14/05 10:30

**BEFORE** 

### THE PUBLIC SERVICE COMMISSION OF

### SOUTH CAROLINA

DOCKET NO. 2005-34-W/S

Haig Point Club and Community Association, Inc. ("HPCCA") hereby petitions

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IN RE:	) ) )
Application of Haig Point Utility Company, Inc. for Approval of an Adjustment in Rates and Charges for Water and Sewer Services	) ) PETITION TO INTERVENE ) ) )

the South Carolina Public Service Commission ("Commission") pursuant to Rule 103-836 of its Rules of Practice and Procedure, to be allowed to intervene as a formal party of record in the above-captioned proceeding. In support of this Petition, Petitioner would show as follows:

1. On February 24, 2005, Haig Point Utility Company, Inc.("HPU") filed an Application for Approval of an adjustment in rates and charges for water and sewer services. The Application was filed pursuant to S.C. Code Ann. Section 58-5-210 et. seq., R 103-514.4, 103-712.4 and R103-834. According to the Application, the Company was established to provide water and sewer service to the 1,050 acre planned development known as Haig Point, located on Daufuskie Island in Beaufort County, South Carolina. The Applicant stated that the filing was necessary because the current rates do not enable the Utility to cover the cost of providing service to earn a fair return on its investment.

2. HPCCA is an association whose members include Dafuskie Island property owners and

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residents. Many of the HPCCA members are utility customers of HPU.

- 3. The Commission issued a Notice of Filing in this matter on April 11, 2005, assigning Docket No. 2005-34-W/S and noting that a public hearing will be scheduled on July 14, 2005. That Notice of Filing set a deadline for intervention in this docket of May 12, 2005.
- 4. The Petitioner has a vital interest in this proceeding. At this time, HPCCA does not possess sufficient information to form a position in this proceeding. Participation in this Docket will allow Petitioner to obtain the information necessary to establish that position.
- 5. HPCCA seeks to participate in this proceeding in order to more fully establish its position and in order to assist in addressing the important issues raised. Petitioner should therefore be permitted to intervene in this proceeding in order to participate fully and present testimony and other evidence as appropriate.
- 6. Petitioner's authorized representatives in this proceeding are:

John F. Beach John J. Pringle, Jr. Ellis, Lawhorne & Sims, P.A. 1501 Main Street, 5<sup>th</sup> Floor Post Office Box 2285 Columbia, SC 29202 (803) 779-0066, phone (803) 799-8479, fax

7. Petitioner requests that it be allowed to intervene in the above-captioned matter, that it be permitted to participate fully as a party of record, to present testimony, cross-examine witnesses, and assert whatever position it deems to be appropriate.

WHEREFORE, Petitioner prays for the following relief:

a. That the Commission accept this Petition to Intervene and make Petitioner a party of record;

- b. That the Commission allow Petitioner to participate fully in this proceeding and take such positions as it deems advisable; and
- c. For such other and further relief as is just and proper.

Respectfully submitted,

ELLIS, LAWHORNE & SIMS, P.A.

BY

John F. Beach, Esquire 1301 Main Street, 5<sup>th</sup> Floor Post Office Box 2285

Columbia, SC 29202

(803) 779-0066

Attorney for Haig Point Club and Community Association, Inc.

May 11, 2005 Columbia, South Carolina